



606.16 Publications, Photographs, and Illustrations

Number Series: 600 - Corrections Division
Approved Date: March 18, 2019
Review Due Date: March 18, 2020

Sheriff's Approval: Digital
Review Frequency: Annually

606.16-1 Policy

It is the policy of the Hendry County Sheriff's Office Jail system to permit inmates to receive publications, photographs, and illustrations, providing the material does not facilitate criminal activity or constitute a threat to the security, good order, or discipline of the facility.

606.16-2 Procedural Guidelines

- I. Inmates may pay for a subscription to a periodic publication or receive a subscription paid for by a person in the community. Inmates are not entitled to receive periodic publications at county expense.
- II. Procedures shall ensure:
 - A. Incoming publications are sent to inmates only from the publisher. Other sources will not be accepted.
 - B. Publications, photographs, and illustrations received and provided to inmates do not meet the criteria for disapproval as outlined in **paragraph 606.16-4** below.
 - C. Inmates are given the opportunity through the grievance procedure to appeal the reason for disapproval.
- III. There will be no limit on the volume or source of publications, photographs, and illustrations except when it is determined that these items facilitate criminal activity or constitute a threat to the security, good order, or discipline of the jail facility.

606.16-3 Inspection

- I. Incoming publications, photographs, and illustrations shall be inspected visually for content and contraband.
- II. All packaging and original wrapping material will be discarded.

606.16-4 Disapproval

- I. The Classification Sergeant may disapprove publications, photographs, or illustrations if they contained any of the following:
 - A. Depiction or description of procedures for the construction of, or use of weapons, ammunitions, explosive devices, or incendiary devices.

- B. Depiction, encouragement, or description of methods of escape from correctional facilities, or blueprints, drawings or similar descriptions of correctional facilities.
 - C. Depiction or description of procedures for the brewing of alcoholic beverages, or the manufacturing of drugs.
 - D. Any part of the publication or illustration is written in code.
 - E. Depiction or description or encouragement of activities, which may lead to the use of physical violence or group disruption.
 - F. Encouragement of or instruction in the commission of criminal activities.
 - G. Graphic depiction or description of sexual behavior which is in violation of law, or sexually explicit material which by its nature or content poses a threat to the security, good order, or discipline of the institution, or facilitates criminal activity. Prohibited material includes publications which depict sexual conduct as defined by F.S. Section 847.001 or presents nudity in such a way to create the appearance that sexual conduct is imminent (see **NOTE** below defining "sexual conduct").
 - H. Presentation of a clear and substantial threat to the security, order, or rehabilitative objectives of the correctional system or the safety of any person.
 - 1. **NOTE: F.S. Section 847.001 Definitions--(11) "Sexual conduct" means actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse; actual lewd exhibition of the genitals, actual physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast; or any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed. A mother's breast-feeding of her baby does not under any circumstances constitute "sexual conduct."**
- II. Review of all publications, photographs, and illustrations will be done on an individualized basis.
 - III. The inmate will be advised in writing of the disapproval through a Mail Contraband Form. The inmate will be provided the inmate the opportunity to appeal the decision through the established inmate grievance system.
 - IV. Publications disapproved for forwarding to inmates will be placed in the inmate's property.

REFERENCES

State/Federal Regulations:

Florida Model Jail Standards
§ 847.001, Fla. Stat.

FCAC:

N/A

PREA:

N/A

Forms:

N/A

Other Policy/ Procedure References:
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